

‘Phantom of the Fox’ needs a new lease

By **Kristi E. Swartz**

kswartz@ajc.com

Joe Patten, the 83-year-old “Phantom of the Fox,” can stay in his apartment at the storied venue, but only if he agrees to a new lease, the theater’s board decided Monday evening.

Patten’s lawyer, Emmet Bon-durant, said he’s advised Patten not to sign the lease, which would allow him to stay in the rent-free residence until it was determined that he needed round-the-clock care.

Patten left the offices of the Fox more than two hours after the theater’s board met to discuss his living arrangement. He said he needed time to absorb the information and that he was angry.

“Saving the Fox was the worst mistake I ever made,”

Fox continued on B8

'Phantom' needs new lease to stay

Fox

continued from B1

Patten said. "I made a serious mistake in saving this building. It wasn't worth it."

Bondurant was not in the meeting with him, having been escorted out of the boardroom shortly before the meeting on Patten's lease began at 5 p.m.

"He has a right to be repre-

sented by counsel," said Bondurant, standing outside the theater.

The board called the meeting to draw up a new lease for Patten, who once was the venue's technical director and is credited with twice spearheading efforts to saving the historic theater on Peachtree Street.

Patten has lived quietly in a stately 3,640-square-foot apartment inside the Atlanta landmark for about 30 years. His lease, signed Dec. 28, 1979, said he could live there rent-free the rest of his life.

Patten is a diabetic and spent time in the hospital and a rehabilitation center this summer.

An hour after he returned home, he received a letter from

the president of Atlanta Landmarks, the nonprofit that runs the Fox Theatre, suggesting he find a nursing home.

Amid media reports on Patten's future, officials at the Fox said he was not being evicted, and that the board simply wanted to create a new lease, a spokeswoman said last week.

Friends of Joe Patten gathered outside the Fox before Monday's board meeting to put "positive peer pressure" to let the man known as the "Phantom of the Fox" stay in his longtime home.

Standing behind a hand-written placard that read "Save the Phantom of the Fox; Please don't make Joe go," Barry Graham said he hoped the board would allow Patten to stay.

"It's like giving someone a lifetime achievement award and saying 'You did great, but since you're getting really old ... ' " Graham, a friend of Patten's, said of the board.

Shortly before 5 p.m., Patten walked from his apartment, which overlooks Ponce de Leon Avenue, around the corner to enter the Fox's front office. His attorney, family and friends walked behind him.

Bondurant said it would take a two-thirds vote of the board to break the current lease and draw up a new one.

"I will be shocked if two-thirds of the board will vote to kick Joe out of what has been his home for 30 years," Bondurant told the AJC before the meeting.